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PTO/SB/05 (08-00) (modified)

Approved for use through 9/30/2001, OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# NEW UTILITY PATENT APPLICATION TRANSMITTAL

(only for new nonprovisional applications under  
37 CFR 1.53(b))

Attorney Docket Number 19538-05688

First Named Inventor John M. Boushy

Title National Customer Recognition  
System & Method

Express Mail Label No. EL668937613US

02/05/01  
17:17:17  
PTO  
09777817

## APPLICATION ELEMENTS

1. ☒ Fee Transmittal Form (in duplicate)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27
3. ☒ Specification Total Pages   
(preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference(s) to Related Case(s)
  - Statement Regarding Fed sponsored R & D
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawing(s)
  - Detailed Description
  - Claim or Claims
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) Total Sheets
5. Oath or Declaration
  - a. ☐ New Declaration Total Pages   
☐ Executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

## ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ Certified Copy of Priority Document(s) (if foreign priority  
is claimed)
9. ☐ Power of Attorney or Authorization of Agent
10. ☐ 37 CFR 3.73(b) Statement
11. ☐ Preliminary Amendment
12. ☐ Information Disclosure Statement & PTO-1449  
☐ Copies of IDS Citation(s)
13. ☒ Request and Certification under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form  
PTO/SB/35 or its equivalent
14. ☒ Return Postcard
15. ☐
16. ☐
17. ☐

### ADDRESS TO:

Box Patent Application  
Commissioner for Patents  
Washington, D.C. 20231

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

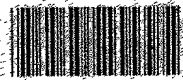
☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: 09/088,423

Prior application information: Examiner: \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

**For CONTINUATION OR DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number and Bar Code  
Label



00758

PATENT, TRADEMARK OFFICE

Name (Print/Type)	Robert R. Sachs	Registration No. (Attorney/Agent)	42,120
Signature	<i>Robert R. Sachs</i>	Date	February 5, 2001

A9000/00000/SF/5039066.1

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0002/PTO(modified) Rev. 10/2000	U.S. Department of Commerce Patent and Trademark Office	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left;">Complete if Known</th> </tr> <tr> <td style="width:50%;">Application Number</td> <td>Please assign</td> </tr> <tr> <td>Filing Date</td> <td>February 5, 2001</td> </tr> <tr> <td>First Named Inventor</td> <td>John M. Boushy</td> </tr> <tr> <td>Group Art Unit</td> <td>Unknown</td> </tr> <tr> <td>Examiner Name</td> <td>Unknown</td> </tr> <tr> <td>Attorney Docket Number</td> <td>19538-05688</td> </tr> </table>	Complete if Known		Application Number	Please assign	Filing Date	February 5, 2001	First Named Inventor	John M. Boushy	Group Art Unit	Unknown	Examiner Name	Unknown	Attorney Docket Number	19538-05688
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<b>FEE TRANSMITTAL</b>																
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METHOD OF PAYMENT	FEE CALCULATION (continued)																																																																																								
<b>1. The Commissioner is hereby authorized to:</b>  <input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account.  <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. <sup>†</sup>  <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27  Deposit Account Number: 19-2555 Deposit Account Name: FENWICK & WEST LLP  <input checked="" type="checkbox"/> Duplicate Copy of this authorization is attached  <b>2. <input checked="" type="checkbox"/> Payment Enclosed:</b> <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Other	<b>3. ADDITIONAL FEES</b> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:15%;">Large Entity Fee Code/Fee</th> <th style="width:15%;">Small Entity Fee Code/Fee</th> <th style="width:45%;">Fee Description</th> <th style="width:25%;">Fee Due</th> </tr> </thead> <tbody> <tr> <td>105/\$130</td> <td>205/\$65</td> <td>Surcharge - late filing fee or oath</td> <td><input type="text"/></td> </tr> <tr> <td>127/\$50</td> <td>227/\$25</td> <td>Surcharge-late provisional filing fee or cover sheet</td> <td><input type="text"/></td> </tr> <tr> <td>147/\$2,520</td> <td>147/\$2,520</td> <td>For filing a request for reexamination</td> <td><input type="text"/></td> </tr> <tr> <td>115/\$110</td> <td>215/\$55</td> <td>Extension for response within first month<sup>†</sup></td> <td><input type="text"/></td> </tr> <tr> <td>116/\$390</td> <td>216/\$195</td> <td>Extension for response within second month<sup>†</sup></td> <td><input type="text"/></td> </tr> <tr> <td>117/\$890</td> <td>217/\$445</td> <td>Extension for response within third month<sup>†</sup></td> <td><input type="text"/></td> </tr> <tr> <td>118/\$1,390</td> <td>218/\$695</td> <td>Extension for response within fourth month<sup>†</sup></td> <td><input type="text"/></td> </tr> <tr> <td>128/\$1,890</td> <td>228/\$945</td> <td>Extension for response within fifth month<sup>†</sup></td> <td><input type="text"/></td> </tr> <tr> <td>119/\$310</td> <td>219/\$155</td> <td>Notice of Appeal</td> <td><input type="text"/></td> </tr> <tr> <td>141/\$1,240</td> <td>241/\$620</td> <td>Petition to revive unintentionally abandoned application</td> <td><input type="text"/></td> </tr> <tr> <td>142/\$1,240</td> <td>242/\$620</td> <td>Utility Issue Fee (Or Reissue)</td> <td><input type="text"/></td> </tr> <tr> <td>143/\$440</td> <td>243/\$220</td> <td>Design Issue Fee</td> <td><input type="text"/></td> </tr> <tr> <td>122/\$130</td> <td>122/\$130</td> <td>Petitions to the Commissioner</td> <td><input type="text"/></td> </tr> <tr> <td>126/\$180</td> <td>126/\$180</td> <td>Submission of Information Disclosure Statement</td> <td><input type="text"/></td> </tr> <tr> <td>179/\$710</td> <td>279/\$355</td> <td>Request for Continued Examination (RCE)</td> <td><input type="text"/></td> </tr> <tr> <td>581/\$40</td> <td>581/\$40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td><input type="text"/></td> </tr> <tr> <td>146/\$710</td> <td>246/\$355</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td><input type="text"/></td> </tr> <tr> <td>149/\$710</td> <td>249/\$355</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td><input type="text"/></td> </tr> <tr> <td colspan="2"></td> <td>Other fee (specify): 37 CFR 1.20(d) Terminal disclaimer fee</td> <td><input type="text"/></td> </tr> <tr> <td colspan="2"></td> <td>Other fee (specify):</td> <td><input type="text"/></td> </tr> <tr> <td colspan="3" style="text-align: right;"><b>SUBTOTAL (3)</b></td> <td><b>(\$ 0)</b></td> </tr> </tbody> </table>	Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due	105/\$130	205/\$65	Surcharge - late filing fee or oath	<input type="text"/>	127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet	<input type="text"/>	147/\$2,520	147/\$2,520	For filing a request for reexamination	<input type="text"/>	115/\$110	215/\$55	Extension for response within first month <sup>†</sup>	<input type="text"/>	116/\$390	216/\$195	Extension for response within second month <sup>†</sup>	<input type="text"/>	117/\$890	217/\$445	Extension for response within third month <sup>†</sup>	<input type="text"/>	118/\$1,390	218/\$695	Extension for response within fourth month <sup>†</sup>	<input type="text"/>	128/\$1,890	228/\$945	Extension for response within fifth month <sup>†</sup>	<input type="text"/>	119/\$310	219/\$155	Notice of Appeal	<input type="text"/>	141/\$1,240	241/\$620	Petition to revive unintentionally abandoned application	<input type="text"/>	142/\$1,240	242/\$620	Utility Issue Fee (Or Reissue)	<input type="text"/>	143/\$440	243/\$220	Design Issue Fee	<input type="text"/>	122/\$130	122/\$130	Petitions to the Commissioner	<input type="text"/>	126/\$180	126/\$180	Submission of Information Disclosure Statement	<input type="text"/>	179/\$710	279/\$355	Request for Continued Examination (RCE)	<input type="text"/>	581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)	<input type="text"/>	146/\$710	246/\$355	Filing a submission after final rejection (37 CFR 1.129(a))	<input type="text"/>	149/\$710	249/\$355	For each additional invention to be examined (37 CFR 1.129(b))	<input type="text"/>			Other fee (specify): 37 CFR 1.20(d) Terminal disclaimer fee	<input type="text"/>			Other fee (specify):	<input type="text"/>	<b>SUBTOTAL (3)</b>			<b>(\$ 0)</b>
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<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Typed or Printed Name	Robert R. Sachs	Reg. Number	42,120
Signature		Date	2/5/01

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor John M. Boushy

Title National Customer Recognition System &  
Method

Atty Docket Number 19538-05688

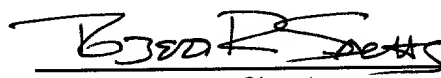
1c979 U.S.  
09/777817



I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

February 5, 2001

Date

  
Signature

Robert R. Sachs, Reg. No. 42,120

Typed or printed name/Registration Number

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**